



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

July 21, 2020

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chair Pro Tem, District I

Mr. Paul Cain, Vice Chair, District III

Mr. Julian Davis III, Chairman, District IV

Mr. Glenn Hart, District V

Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root [via FaceTime], & Katie D. Smith, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [upon request] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Jerry Edwards & Caitlin Herrington / The Journal

Call to Order

Mr. Davis called the meeting to order at 6:10 p.m.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at ksmith@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

Ms. Helen Rosemond Saunders addressed Council regarding Blue Ridge Community Center, opportunity zones in Oconee County, and requested that Council appoint citizens with different perspectives to serve on Board/Commissions.

Mr. Jerry Barnett addressed Council thanking Ms. Saunders for her comments and noted the County Administrator and Sheriff Crenshaw was in the right place at the right time regarding the aftermath of the tornado in the Utica Community.

Mr. Mickey Haney addressed Council regarding Ordinance 2020-09.

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Mr. Davis read a written comment from Ms. Kaci O'Dell [copy of comment filed with backup materials] regarding Oconee County to pass a mandatory mask requirement.

Mr. Davis read a written comment from Ms. Debbie Sewell [copy of comment filed with backup materials] in favor of the grant submission for The Civic Innovation Challenge [CIVIC].

Mr. Davis read a written comment from Mr. Tom Markovich [copy of comment and pictures filed with backup materials] in opposition of Ordinance 2020-09.

County Council Response to Public Comment

Mr. McCall noted he has reached out to the community in the Walhalla area regarding the Board/Commission membership with no response and also responded to Mr. Haney's comments.

Mr. Hart spoke about digital billboards, stationary billboards, and state ethics.

Moment of Silence

Mr. Davis asked for a moment of silence prior to the Invocation by the County Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Sheriff Crenshaw led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the June 16, 2020 Regular Minutes as presented.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the June 25, 2020 Special Minutes as presented.

Administrator's Comments

Ms. Brock thanked everyone for coming to the Council meeting and was glad to see the public interested in government.

Attorney's Comments

None at this meeting.

Presentation to Council

- Create an Oconee County SC Commission on African American Affairs

Ms. Tinishia Graham and Mr. Shawn Johnson addressed Council utilizing a handout [copy filed with backup

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materials] and gave a brief presentation regarding creating an Oconee County SC Commission on African American Affairs.

All Council members thanked Ms. Graham and Mr. Johnson for their presentation.

Public Hearings for the Following Ordinances

If you are not able to attend in person and you would like to be heard during the public hearing, please contact Katie Smith at ksmith@oconeesc.com or 864-718-1023 so that she may coordinate your participation by telephone.

None at this meeting.

Third Reading of the Following Ordinances

None at this meeting.

Second Reading of the Following Ordinances

Ordinance 2020-09 “AN ORDINANCE AMENDING THE “SIGN CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA.”

Mr. Elliott made a motion, seconded by Mr. Cain, to approve **Ordinance 2020-09** on second reading.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 3 – 2 [Mr. Hart and Mr. McCall opposed] to amend Section 32-519, Terms and definitions, *Excepted Billboard*, to revise the language to read “Excepted billboard means a billboard falling within one of the following categories that are excepted from the county’s general billboard prohibition: (1) a billboard which is visible from Interstate 85 and which is erected with the purpose of its message being read from the traveled way of Interstate 85, as determined by the Planning Director; (2) a billboard which is less than thirty-three (33) feet in size and less than ten (10) linear feet in height; (3) a billboard erected by or for a governmental entity for a public purpose; and (4) an Existing billboard.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 3 – 2 [Mr. Hart and Mr. McCall opposed] to amend Section 32-519, Terms and definitions, *Sign*, to revise the language to read “Sign means any sign structure or combination of sign structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, advertising structure, advertisement, logo, symbol or other form which is designated, intended, or used to advertise or inform in relation to the premises on which it is located, any part of the message or informative contents of which is visible from the main traveled way. The term does not include official traffic control signs, official markers, or specific information panels erected, caused to be erected, or approved by the state department of transportation. Signs erected by or for a governmental entity for a public purpose are also excluded from operation of this article.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 3 – 2 [Mr. Hart and Mr. McCall opposed] Motion to amend Section 32-519, Terms and definitions, *Sign area*, to revise the language to read “Sign area means the entire face of a sign or billboard, including the advertising surface and any framing, trim, or

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molding, but not including the supporting structure. For non-rectangular signs or billboards, the sign area shall be equal to that of the smallest rectangle that encompasses all features of that sign or billboard. For stacked signs or billboards, the sign area shall be that of the small rectangle that encompasses all signs or billboards in stack.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 3 – 2 [Mr. Hart and Mr. McCall opposed] to amend Section 32-520, subsection 5, *Billboards*, to revise the language to read “Stacked billboards are permitted subject to the sign area calculation in section 32-519.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 3 – 2 [Mr. Hart and Mr. McCall opposed] to amend Section 32-520, subsection 6, *Billboards*, to revise the language to read “Billboards less than thirty-three (33) square feet in size are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of billboards is less than thirty-three (33) square feet in size exceeds thirty-three (33) square feet on a given lot. This exemption applies to internal directional or wayfinding signage.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 3 – 2 [Mr. Hart and Mr. McCall opposed] to amend Section 32-521, subsection 14, *Signs exempt from permitting*, to revise the language to read “Signs less than thirty-three (33) square feet in size are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein. This exemption applies to internal directional or wayfinding signage.”

Ordinance 2020-09 as amended is now on the floor for discussion.

Lengthy discussion followed to include:

- Advertisement
- Beautification
- Limit the construction of new billboards

Mr. Davis called for the vote of **Ordinance 2020-09** as amended. The motion passed 3 – 2 [Mr. Hart and Mr. McCall opposed] for **Ordinance 2020-09** as amended on 2nd reading.

Ordinance 2020-10 “AN ORDINANCE AMENDING THE ENFORCEMENT AND PENALTY PROVISIONS OF THE “LITTER CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA.”

Mr. McCall made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2020-10** on second reading.

First Reading for the Following Ordinances

None at this meeting.

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First & Final Reading of the Following Resolutions

None at this meeting.

Discussion Regarding Action Items

Sandvik Wear & Consignment Parts / Rock Quarry / \$200,000.00

Budget: \$525,000.00 / **Project Cost:** \$200,000.00 / **Balance:** \$325,000.00

The Rock Quarry purchases wear and consignment parts, as needed, for the Sandvik Mobile Crushing plant in order to have repair parts on hand if and when needed. The dollar amount requested is estimated due to not knowing what parts will be needed for the year.

It is the staff's recommendation that Council [1] approve the award for Sandvik wear and consignment parts, as needed, to Screen-Tec, LLC of Rock Hill, SC in the estimated amount of \$200,000.00 for FY 20-21 and [2] allow the Administrator to approve future year purchases from Screen-Tec, LLC, as long as they are still the authorized dealer / distributor for Sandvik parts, service and sales and the amounts do not exceed amounts budgeted and approved by Council in future years for repair parts.

Mr. Elliott made a motion, seconded by Mr. Cain, to [1] approve the award for Sandvik wear and consignment parts, as needed, to Screen-Tec, LLC of Rock Hill, SC in the estimated amount of \$200,000.00 for FY 20-21 and [2] allow the Administrator to approve future year purchases from Screen-Tec, LLC, as long as they are still the authorized dealer / distributor for Sandvik parts, service and sales and the amounts do not exceed amounts budgeted and approved by Council in future years for repair parts.

Discussion continued to include:

- Warranty
- Normal operating parts that would be wear and tear under normal operating of a piece of equipment
- Have parts on hand so there is no downtime

Regarding the previous motion made by Mr. Elliott, seconded by Mr. Cain, it was approved 5 – 0, to [1] approve the award for Sandvik wear and consignment parts, as needed, to Screen-Tec, LLC of Rock Hill, SC in the estimated amount of \$200,000.00 for FY 20-21 and [2] allow the Administrator to approve future year purchases from Screen-Tec, LLC, as long as they are still the authorized dealer / distributor for Sandvik parts, service and sales and the amounts do not exceed amounts budgeted and approved by Council in future years for repair parts.

New Holland Tractor with Mid Mount Side Mower / Roads & Bridges / Tractor: \$77,670.69

Mower: \$30,123.73

Total: \$107,794.42

Budget: \$1,196,728.00 / **Project Cost:** \$107,794.42 / **Balance:** \$1,088,933.58

The New Holland TS6110T4B with Tiger Mid Mount Side Mower will be used by our Mowing Crew for

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vegetation management along the County maintained right-of-way. This tractor is replacing a 2002 New Holland mowing tractor (210.22) which will be sold as surplus via public auction or GovDeals. The year model of the tractor and mower will be a 2020 or 2021 depending on the actual production date.

It is the staff's recommendation that Council approve the purchase of a New Holland Tractor from CNH Industrial America, LLC per state contract number 44000111000 and the Tiger Mid Mount Mower from Old Stone Tractor of Anderson, SC per State Contract Number 4400011019 for a total purchase price of \$107,794.42.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to approve the purchase of a New Holland Tractor from CNH Industrial America, LLC per state contract number 44000111000 and the Tiger Mid Mount Mower from Old Stone Tractor of Anderson, SC per State Contract Number 4400011019 for a total purchase price of \$ \$107,794.42.

Procurement #: RFP 19-10 / Consulting Services for Disaster Recovery and FEMA Public Assistance / Emergency Services

There is no dollar amount associated with this approval at this time. Any future services needed that exceeds \$50,000 will be brought to Council for approval for that particular need.

Request for Proposals, RFP 19-10 was issued on May 29, 2020 to select a firm to provide assistance to support the County's Disaster Recovery operations and FEMA Public Assistance preparation to expedite financial recovery and mitigation to minimize impacts from disasters. The Awarded vendor is required to have extensive knowledge and expertise in the operations of the Federal Emergency Management Agency's (FEMA) Public Assistance (PA) Program, Hazard Mitigation Program (HMP), and other federal and state programs to ensure full compliance with all applicable federal, state, and local laws, regulations, executive orders and FEMA requirements.

RFP 19-10 was opened on June 25, 2020, five (5) proposals were received. An Evaluation Committee consisting of County staff, reviewed and scored the proposals and unanimously recommended Goodwyn, Mills and Cawood, Inc. of Greenville, SC for award.

When there is a disaster within Oconee County and there is a need for this service, the Emergency Services Department will contact the awarded proposer to request a proposal / task order. If the proposal / task order exceeds \$50,000.00 it will be presented to County Council for approval. This eliminates the need for the County to issue separate RFP's or quotes each this time service is needed.

This contract will be for one year, with four additional one-year renewals, if all work is satisfactory.

It is the staff's recommendation that Council approve [1] approve the award of RFP 19-10, Consulting Services for Disaster Recovery and FEMA Public Assistance to Goodwyn, Mills & Cawood, Inc., of Greenville, SC. and [2] authorize the County Administrator to execute contract documents and to renew this contract for an additional four years, providing all work is satisfactory.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to [1] approve the award of RFP 19-10,

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Consulting Services for Disaster Recovery and FEMA Public Assistance to Goodwyn, Mills & Cawood, Inc., of Greenville, SC. and [2] authorize the County Administrator to execute contract documents and to renew this contract for an additional four years, providing all work is satisfactory.

Procurement #: RFP 19-10 Task Order 1, 2 & 3 / Title: Consulting Services for Flood, Tornado & Covid-19 Disasters / Emergency Services / Not to Exceed \$480,000.00

These services are eligible for reimbursement once applications are submitted. The dollar amount nor percentage of reimbursement to the County is known at this time. The County will be responsible for any expenses that are not covered.

In previous Agenda Action Item, Council approved the award of RFP 19-10 for Consulting Services for Disaster Recovery and FEMA Public Assistance to Goodwyn, Mills and Cawood, Inc., of Greenville, SC for as needed consulting services. The Emergency Services Department requests their services to assist with data collection, mitigation and reimbursement applications for the following three Federal Declarations of Disasters:

Task Order # 1 February 2020 Flooding	Not to Exceed \$250,000.00
Task Order #2 April 12, 2020 Tornado	Not to Exceed \$150,000.00
Task Order #3 Covid-19	Not to Exceed \$ 80,000.00

The services for this project will include the following:

1. Scoping and Planning
2. Project Formulation & Project Worksheet Preparations
3. Project Mitigations
4. Reimbursement Applications, FEMA, Cares Act, etc.

These services are eligible for reimbursement from FEMA Public Assistance, FEMA Mitigation, Covid-19 FEMA, Cares Act and any other reimbursement funding source located by GMC. The amount of reimbursement is dependent upon approved expenses by FEMA and the Cares Act. Any unapproved expenses will be paid by the County.

It is the staff's recommendation that Council; upon approval of previous Agenda Action Item RFP 19-10; approve, task order #1, 2 & 3 to Goodwyn, Mills and Cawood, Inc. of Greenville, SC in the NOT TO EXCEED a total amount of \$480,000.00.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to approve task order #1, 2 & 3 to Goodwyn, Mills and Cawood, Inc. of Greenville, SC in the NOT TO EXCEED a total amount of \$480,000.00.

Ms. Brock noted there are three active open FEMA reimbursable disasters here and noted it is quite a task to collect the data and provide the information for reimbursement for Oconee County's expenses regarding our

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response to these disasters. She further noted the actual cost of these will be reimbursable and the County will only pay a percentage. She noted Oconee normally handles all of the FEMA reimbursements in-house but with the floods in February, the pandemic, and the tornado in April, it is in the best interest and stewardship of taxpayer dollars to work with a professional firm for the enormous amount of documentation that is being required for the reimbursement on those expenses.

Local ATAX – Host Compliance Short Term Rental Monitoring 3-year service agreement

\$23,981/year for 3 years with funds coming from the local accommodations tax fund.

Local ATAX balance as of 7.7.20 = \$328,899.66

Oconee contracted with STR/Host Compliance in 2018. The program started in spring of 2019 and provides address identification, validation and compliance monitoring of short term rentals for local ATAX compliance. In addition, the program provides web based registration and online collection capabilities for local accommodations tax providers. The new service agreement adds letter compliance monitoring which provides proactive, data driven outreach via letter to non-compliant properties utilizing our created form letters. Since the program started, we have added 65 new short term compliant registrants.

It is staff's recommendation of approval to continue the service agreement for a term of 3 years, including the letter compliance monitoring module for a total of \$23,981/year with funds coming from the local accommodations tax fund.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 4 – 1 [Mr. McCall abstained], to approve to continue the service agreement for a term of 3 years, including the letter compliance monitoring module for a total of \$23,981/year with funds coming from the local accommodations tax fund.

Discussion regarding Impact Fees

Mr. Elliott noted this was added to the agenda due to the apartment explosion around Clemson University and the strain that is being put on our fire departments, Sheriff's Office, and other emergency services.

Mr. Elliott made a motion, seconded by Mr. McCall, approved 5 – 0, to direct the County Attorney to draft a resolution directing the Planning Commission to conduct certain studies necessary to form the ordinance for the Impact Fees developed in accordance with the requirements of the SC Development Impact Fee Act by the end of this calendar year.

Discuss F.A.R.M. Center operations, specifically the S.C. Heritage Fair, in light of COVID-19 pandemic

Ms. Brock noted the S.C. Heritage Fair has their annual fair held at the F.A.R.M. Center location on Sandifer Blvd. The fair was scheduled to start on September 22, 2020 and the lease agreement with the F.A.R.M. Center and the S.C. Heritage Fair states they must conduct an annual fair unless Council approves otherwise.

Mr. McCall made a motion, seconded by Mr. Cain, approved 5 – 0, to approve the requirement in the land

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lease with Oconee County for the annual S.C. Heritage Fair that is scheduled for September 22, 2020 thru September 26, 2020 to be waived for the 2020 year due to the COVID-19 pandemic.

Discuss legal advertising and public notice requirements

Mr. Root noted this is a follow-up on the addendum to the budget that was voted on during the 2nd reading on June 11, 2020, directed to research to see if it was possible for the County to do legal ads/public notices in a newspaper apart from The Journal.

Lengthy discussion continued to include:

- Required to give the public notice of events, such as public hearings, ordinances, etc. in a newspaper of general circulation in the County
- Completed research on circulation with Greenville News and they have approximately 1,000 neighbor circulation within the County; The Journal's circulation is approximately 10 times that
- Number of factors to consider in trying to meet this newspaper of general circulation and that is most likely to reach the intended audience

Council approval of grant submission for The Civic Innovation Challenge [CIVIC] in partnership with Clemson University

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the grant submission for The Civic Innovation Challenge [CIVIC] in partnership with Clemson University.

2020 Edward Byrne Memorial JAG Grant Notification

Oconee County Sheriff's Department may receive an allocation of \$10,568.00 from the Bureau of Justice Assistance. The grant program requires the notification of intent be made available for the County Council and the public to review and comment on the proposed use of funds. The Sheriff's Department plans to use the funds from this program to purchase 20 stop stick sets.

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the 2020 Edward Byrne Memorial JAG Grant Notification.

Discussion regarding Opportunity Zone Prospectus – Funding and Letter of Support

Ms. Brock noted that when a matter comes before a Council Committee and would require subsequent Council action, this action would wait until the next Council meeting, however, because time is of the essence, this was placed this on the Council agenda for full Council approval. Ms. Brock noted this was discussed at the 5pm Planning & Economic Development Committee meeting on 07/21/2020 and Ms. Annie Caggiano, Economic Alliance Director, presented a proposal for prospectus for project design to outline and market our opportunity zones in Oconee County. She noted that the cost of proposal including professional photography is \$25,000 with a percentage of grant reimbursement funds of approximately \$6,200 if eligible and turnaround time on the product in hand is roughly 60 days. This funding is covered through the Economic Development fund.

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Mr. Elliott made a motion, seconded by Mr. Cain, to approve to move forward with the opportunity zone prospectus project design with Brains on Fire.

Lengthy discussion continued to include:

- Staff would still be overly involved in the process
- Concerned about the amount of funds being spent to produce a 20-page document for marketing
- Staff's concern is the prospectus project will take a back seat to other projects in the office

Regarding the previous motion made by Mr. Elliott, seconded by Mr. Cain, the motion **failed** 1 – 4 [Mr. Cain, Mr. Davis, Mr. Hart, & Mr. McCall opposed] to move forward with the opportunity zone prospectus project design with Brain on Fire.

Board & Commission Appointments

Building Codes Appeal Board

No questionnaires were submitted for the 1 At Large seat.

Board of Zoning Appeals

No questionnaires were submitted for the District 5 seat.

Conservation Bank Board

No questionnaires were submitted for the District 5 seat.

Arts & Historical Commission

No questionnaires were submitted for the District 4 seat.

Executive Session:

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Discussion regarding an Economic Development matter, Project Urban Mine.

[2] Discussion regarding an Economic Development matter, Project Dolly.

[3] Discuss negotiations regarding purchase of real property adjacent to the Oconee County Regional Airport.

[4] Receive legal advice and discuss proposed contractual matter.

Council entered Executive Session at 7:47 p.m.

Council returned from Executive Session at 8:40 p.m. on a motion made by Mr. Hart, seconded by Mr. Elliott, approved 5 – 0.

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Mr. Davis stated that no action was taken in Executive Session.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to authorize the County Administrator to execute a purchase agreement, receive a deed, and take all other necessary action to purchase certain real property comprised of 11.23 acres and identified by TMS# 256-00-02-024 and property is being purchased for the purpose of future airport terminal expansion with an apron and hanger development and the purchase price shall not exceed \$150,000.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 8:41 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council

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